

COPY

1 ANDRÉ BIROTTE JR.
 United States Attorney
 2 ROBERT E. DUGDALE
 Assistant United States Attorney
 3 Chief, Criminal Division
 STEVEN R. WELK
 4 Assistant United States Attorney
 Chief, Asset Forfeiture Section
 5 JENNIFER M. RESNIK
 Assistant United States Attorney
 6 Asset Forfeiture Section
 (Cal. State Bar # 233634)
 7 1400 United States Courthouse
 312 North Spring Street
 8 Los Angeles, California 90012
 Telephone: (213) 894-6595
 9 Facsimile: (213) 894-7177
 E-mail: jennifer.resnik@usdoj.gov

2011 SEP 16 PM 2:37
 CENTRAL DISTRICT COURT
 LOS ANGELES, CALIF.

FILED

10 Attorneys for Plaintiff
 11 UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

14 UNITED STATES OF AMERICA,)
 15)
 Plaintiff,)
 16)
 v.)
 17)
 \$100,000.00 IN U.S. CURRENCY)
 18 and \$2,614.49 IN)
 U.S. CURRENCY,)
 19)
)
 20 Defendants.)
 21)

NO. CV 11 07699
 VERIFIED
 COMPLAINT FOR FORFEITURE
 [21 U.S.C. § 881(a)(6)]
 [I.C.E.]

GAF (CWx)

22 The United States brings this claim against the defendants
 23 \$100,000.00 in U.S. currency and \$2,614.49 in U.S. currency
 24 (referred to hereinafter collectively as "the defendant
 25 currency"), and alleges as follows:

JURISDICTION AND VENUE

26
 27 1. This is a civil forfeiture action brought pursuant to
 28 21 U.S.C. § 881(a)(6).

2. This court has jurisdiction over the matter under 28

1 U.S.C. §§ 1345 and 1355.

2 3. Venue lies in this district pursuant to 28 U.S.C.
3 § 1395(b).

4 PERSONS AND ENTITIES

5 4. The plaintiff is the United States of America.

6 5. The defendants are \$100,000.00 in U.S. currency seized
7 from a vehicle being driven by Jose Ferrero ("J. Ferrero") on
8 December 1, 2010, and \$2,614.49 in U.S. currency seized from the
9 person of J. Ferrero on December 1, 2010.

10 6. The interests of J. Ferrero, and his brother, Emilio
11 Ferrero ("E. Ferrero") may be adversely affected by these
12 proceedings.

13 7. The defendant \$100,000.00 in U.S. currency was seized
14 by the Montebello Police Department ("MPD") after a traffic stop
15 of a vehicle driven by J. Ferrero in Los Angeles, California.
16 The defendant \$2,614.49 in U.S. currency was seized from J.
17 Ferrero when he was taken into custody by the MPD. The seizure
18 of the defendant currency was later adopted by the United States
19 Immigration and Customs Enforcement ("ICE"). The defendant
20 currency is currently in the custody of the United States Customs
21 and Border Protection, where it will remain subject to this
22 court's jurisdiction during the pendency of this action.

23 EVIDENCE SUPPORTING FORFEITURE

24 8. On or about December 1, 2010, at approximately 7:30
25 a.m., MPD detectives in conjunction with agents from ICE,
26 established surveillance at a residence in Montebello, California
27
28

1 (the "Ferrero residence"),¹ in response to information that E.
2 Ferrero may be involved in narcotics trafficking.

3 9. During the surveillance the officers and agents observed
4 E. Ferrero exit the Ferrero residence, enter a white BMW X5 ("the
5 BMW") and drive away. Moments later J. Ferrero, along with Luis
6 Ruano ("Ruano"), later determined to be the son of E. Ferrero,
7 exited the Ferrero residence, entered a black Ford Expedition
8 ("the Expedition") and also drove away.

9 10. Detectives from MPD followed the BMW to various
10 locations in the South Los Angeles area and then eventually to a
11 business office located at 10723 White Oak Avenue, Granada Hills,
12 California ("the business office"). E. Ferrero exited the BMW,
13 entered the business office and was observed speaking with two
14 men at the location for a couple of hours.

15 11. At approximately 5:00 p.m. the Expedition arrived at
16 the business office, J. Ferrero exited the vehicle and made
17 contact with E. Ferrero. Shortly thereafter, MPD detectives
18 observed a red Dodge Ram, driven by an unknown female arrive at
19 the business office and double park. At that time, one of the
20 men seen speaking with E. Ferrero earlier ran out of the business
21 office, leaned into the passenger side window of the Ram and
22 retrieved a medium sized brown paper bag that appeared to bear
23 significant weight. The unknown male then ran back into the
24 business with the paper bag followed by E. Ferrero and J.
25 Ferrero. The Ferrero brothers then disappeared from the view of
26

27 ¹ The full residence address has been omitted pursuant to
28 Local Rule 79-5.4.

1 the detectives.

2 12. After approximately one hour, MPD detectives observed
3 E. Ferrero exit a rear room inside the business office carrying a
4 brown paper bag. E. Ferrero then handed the bag to J. Ferrero,
5 who exited the business office, placed the brown paper bag behind
6 the driver's seat in the Expedition and drove away.

7 13. MPD detectives followed the Expedition from the
8 business office, and stopped the vehicle for a California Vehicle
9 Code violation, near Balboa Boulevard and Tulsa Street, in Los
10 Angeles, California. MPD detectives identified J. Ferrero as the
11 driver and Ruano as the passenger of the Expedition. J. Ferrero
12 provided the detectives consent to search the vehicle. The MPD
13 detectives recovered a brown Trader Joe's shopping bag containing
14 approximately \$100,000.00 in U.S. currency (part of the defendant
15 currency). The currency in the Trader Joe's shopping bag was
16 later counted and determined to be \$100,000.00 and comprised of
17 denominations consistent with proceeds from drug trafficking
18 (908-\$100's; 67-\$50's; 292-\$20's; 1-\$10).

19 14. The Expedition was then examined by a narcotics
20 detection canine, "Buck," who gave a positive alert upon sniffing
21 the brown paper bag containing the money, indicating that the bag
22 or its contents had been in recent proximity to a controlled
23 substance.

24 15. E. Ferrero was observed by MPD detectives driving away
25 from the business office in the BMW past the traffic stop of the
26 Expedition. E. Ferrero did not stop, but proceeded to get on the
27 118 Freeway where he drove out of sight. E. Ferrero returned to
28 the Ferrero residence where he was met by MPD detectives and

1 detained for a violation of California Health and Safety Code
2 section 11370.6 (Possession of moneys or negotiable instruments
3 in excess of \$100,000 involved in unlawful sale or purchase of a
4 controlled substance).

5 16. Following the traffic stop, J. Ferrero was also
6 detained for a violation of California Health and Safety Code
7 section 11370.6 and advised of his Miranda rights. J. Ferrero
8 stated that he had no knowledge of how his brother came into
9 possession of the defendant \$100,000.00 in U.S. currency, that
10 his brother did not have a steady job, that his brother lived
11 with him at the Ferrero residence and that the money probably
12 came from gambling earnings. J. Ferrero stated that the
13 defendant currency did not belong to him and signed a MPD
14 Disclaimer of Ownership of Currency form. During the booking
15 process, an additional \$2,614.49 in U.S. Currency (the remainder
16 of the defendant currency) was found in J. Ferrero's wallet and
17 pant pocket and seized. The \$2,614.49 was also comprised of
18 denominations consistent with proceeds from drug trafficking (17-
19 \$100's; 43-\$20's; 2-\$10; 4-\$5's; 3-\$2's; 7-\$1's; 4-\$0.25; 4-\$0.10;
20 9-\$0.01).

21 17. On or about December 2, 2010, MPD detectives searched
22 the Ferrero residence pursuant to a state search warrant. In the
23 master bedroom, MPD detectives found 2 individually wrapped
24 pieces of plastic containing approximately 22 gross grams of
25 marijuana. MPD detectives also found a small functioning digital
26 scale in the living room, and a black duffle bag in a converted
27 bathroom in the garage which contained a large functional digital
28 scale and approximately .45 pounds of marijuana divided into 5

1 individually wrapped vacuum sealed bags. Additionally, MPD
2 detectives found miscellaneous indicia of residency, such as
3 bills and bank statements, in the names of E. Ferrero, J. Ferrero
4 and Ruano. The California Employment Development Department has
5 no record for E. Ferrero or J. Ferrero.

6 CLAIM FOR FORFEITURE

7 18. Based on the above allegations, the plaintiff alleges
8 that the defendant currency represents or is traceable to
9 proceeds of one or more illegal exchanges for a controlled
10 substance or listed chemical, was furnished or intended to be
11 furnished for a controlled substance or listed chemical, and was
12 used to facilitate or intended to be used to facilitate, one or
13 more such exchanges in violation of 21 U.S.C. § 841 et seq.. The
14 defendant currency is therefore subject to forfeiture pursuant to
15 21 U.S.C. § 881(a)(6).

16 WHEREFORE, the United States prays that:

- 17 a. due process issue to enforce the forfeiture of the
18 defendant currency;
19 b. due notice be given to all interested parties to appear
20 and show cause why forfeiture should not be decreed;
21 c. this court decree forfeiture of the defendant currency
22 to the United States of America for disposition
23 according to law; and

24 //

25 //

26 //

27 //

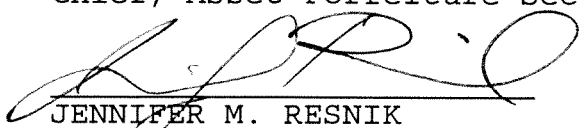
28 //

1 d. for such other and further relief as this court may
2 deem just and proper, together with the costs and
3 disbursements of this action.

4 DATED: September 16, 2011

Respectfully submitted,

5
6 ANDRÉ BIROTTE JR.
United States Attorney
7 ROBERT E. DUGDALE
Assistant United States Attorney
Chief, Criminal Division
8 STEVEN R. WELK
Assistant United States Attorney
9 Chief, Asset Forfeiture Section

10
11 
JENNIFER M. RESNIK
12 Assistant United States Attorney
Attorneys for Plaintiff
13 United States of America
14
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VERIFICATION

I, John Czerapowicz, hereby declare that:

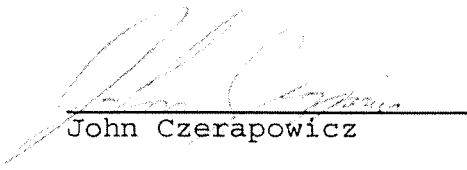
1. I am a Special Agent with the United States Department of Homeland Security, Immigration and Customs Enforcement and am the case agent for the forfeiture matter entitled United States v. \$100,000.00 in U.S. Currency and \$2,614.49.00 in U.S. Currency.

2. I have read the above Verified Complaint for Forfeiture and know its contents. It is based upon my own personal knowledge and reports provided to me by other law enforcement agents.

3. Everything contained in the Complaint is true and correct, to the best of my knowledge and belief.

I declare under penalty of perjury that the foregoing is true and correct.

Executed September 13, 2011 in Los Angeles, California.


John Czerapowicz

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge Gary A. Feess and the assigned discovery Magistrate Judge is Carla Woehrle.

The case number on all documents filed with the Court should read as follows:

CV11- 7699 GAF (CWx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

☒ **Western Division**
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

☐ **Southern Division**
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

☐ **Eastern Division**
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

I (a) PLAINTIFFS (Check box if you are representing yourself) <input type="checkbox"/> UNITED STATES OF AMERICA		DEFENDANTS \$100,000.00 IN U.S. CURRENCY AND \$2,614.49 IN U.S. CURRENCY	
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) Jennifer Resnik, Assistant United States Attorney California Bar Number 233634 Federal Courthouse, 14th Floor, 312 North Spring Street Los Angeles, California 90012 Telephone: (213) 894-384-6595, Facsimile: (213) 894-71777		Attorneys (If Known)	

II. BASIS OF JURISDICTION (Place an X in one box only.) <input checked="" type="checkbox"/> 1 U.S. Government Plaintiff <input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%;"> <tr> <th></th> <th>PTF</th> <th>DEF</th> <th></th> <th>PTF</th> <th>DEF</th> </tr> <tr> <td>Citizen of This State</td> <td><input type="checkbox"/> 1</td> <td><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in this State</td> <td><input type="checkbox"/> 4</td> <td><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td><input type="checkbox"/> 2</td> <td><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td><input type="checkbox"/> 5</td> <td><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td><input type="checkbox"/> 3</td> <td><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td><input type="checkbox"/> 6</td> <td><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

IV. ORIGIN (Place an X in one box only.) <input checked="" type="checkbox"/> 1 Original Proceeding <input type="checkbox"/> 2 Removed from State Court <input type="checkbox"/> 3 Remanded from Appellate Court <input type="checkbox"/> 4 Reinstated or Reopened <input type="checkbox"/> 5 Transferred from another district (specify): <input type="checkbox"/> 6 Multi-District Litigation <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge
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V. REQUESTED IN COMPLAINT: JURY DEMAND: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Check 'Yes' only if demanded in complaint.) CLASS ACTION under F.R.C.P. 23: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No MONEY DEMANDED IN COMPLAINT: \$ _____

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.) 21 U.S.C. § 881 (a)(6)

VII. NATURE OF SUIT (Place an X in one box only.)					
OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	TORTS PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition FORFEITURE / PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input checked="" type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609

CV11 07699

FOR OFFICE USE ONLY: Case Number: _____

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT, CALIFORNIA
CIVIL COVER SHEETVIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes

If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named plaintiff resides.

☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named defendant resides.

☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles	

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH claim arose.

Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles	

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER):

Date 9/16/11

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))

1 ANDRÉ BIROTTE JR.
United States Attorney
2 ROBERT E. DUGDALE
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4 Assistant United States Attorney
Chief, Asset Forfeiture Section
5 JENNIFER RESNIK
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6 California Bar Number 233634
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7 1400 United States Courthouse
312 North Spring Street
8 Los Angeles, California 90012
Telephone: (213) 894-6595
9 Facsimile: (213) 894-7177
E-mail: Jennifer.Resnik@usdoj.gov

10 Attorneys for Plaintiff
11 United States of America

12 UNITED STATES DISTRICT COURT
13 FOR THE CENTRAL DISTRICT OF CALIFORNIA
14 WESTERN DIVISION

15 UNITED STATES OF AMERICA,)
16 Plaintiff,)
17 v.)
18 \$100,000.00 IN U.S. CURRENCY)
19 and \$2,614.49 IN U.S. CURRENCY,)
20 Defendant.)
21 _____)
22

CV11 07699 GAF

(CWx)

NOTICE

23 In obedience to a Warrant of Arrest In Rem to me directed,
24 in the above-entitled cause, I have, on the ____ day of _____,
25 2011, seized and taken into my possession, the following
26 described defendant, to Wit: \$100,000.00 in U.S. Currency and
27 \$2,614.49 in U.S. Currency, for the cause set forth in the
28 Complaint, to wit: violation of federal laws, now pending in the

1 United States District Court for the Central District of
2 California, at Los Angeles, California. Amount demanded is the
3 sum of \$-0-, plus interest and costs.

4 I HEREBY GIVE NOTICE to any person who claims an interest in
5 the above-described defendant that, pursuant to Rule G(5) of the
6 Supplemental Rules for Admiralty or Maritime Claims and Asset
7 Forfeiture Actions of the Federal Rules of Civil Procedure, said
8 person must file with the Clerk of the United States District
9 Court at Los Angeles, California and serve upon the attorney for
10 the plaintiff, a verified Claim identifying the property claimed
11 and his or her interest in the property not later than thirty-
12 five (35) days after the date of service of the Complaint, or
13 within such additional time as the court may allow; that said
14 person must file and serve an Answer within twenty-one (21) days
15 after the filing of the verified Claim; that if notice was
16 published but direct notice was not sent to said person or to
17 said person's attorney, the Claim must be filed no later than
18 sixty (60) days after the first day of publication on an official
19 internet government forfeiture site or legal notice under Rule
20 G(4)(a); and that all interested persons must file verified
21 Claims and Answers within the time so fixed; otherwise, default
22 may be entered and forfeiture ordered of the interest in the
23 defendant of any person not so complying. Applications for
24 intervention under Rule 24 of the Federal Rules of Civil
25 Procedure by persons claiming maritime liens or other interests
26 shall be filed within the time fixed by the court. A claim filed
27 by a person asserting an interest as a bailee must identify the
28 bailor, and if filed on the bailor's behalf must state the

1 authority to do so.

2 Pursuant to General Order 10-07 of the United States
3 District Court for the Central District of California, this
4 action is subject to the Electronic Case Filing ("ECF") System.
5 ECF User Registration Forms may be obtained from the Court.

6 Please check <http://www.forfeiture.gov> for a listing of all
7 judicial forfeiture notices.

8 Plaintiff's attorney is Assistant United States Attorney
9 Jennifer Resnik, 312 North Spring Street, 14th Floor, Los
10 Angeles, California 90012, (213)894-6595.

11 The custodian of the defendant is U.S. Customs and Border
12 Protection, 501 West Ocean Blvd., Suite 7200, Long Beach,
13 California 90802, (562) 624-3800.

14
15 DATED: This ____ day of _____, 2011.

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18 _____
19 U.S. CUSTOMS AND BORDER
20 PROTECTION REPRESENTATIVE
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